

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

October 7, 2010

Lyle W. Cayce  
Clerk

\_\_\_\_\_  
No. 09-60488

Summary Calendar  
\_\_\_\_\_

PERPETUA RAMIRO PAGALLAMAN, also known as Petty Pagallaman,

Petitioner

v.

ERIC H. HOLDER, JR., U. S. ATTORNEY GENERAL,

Respondent  
\_\_\_\_\_

Petition for Review of an Order of the  
Board of Immigration Appeals  
BIA No. A097-242-160  
\_\_\_\_\_

Before HIGGINBOTHAM, BENAVIDES, and ELROD, Circuit Judges.

PER CURIAM:\*

Perpetua Ramiro Pagallaman is a native and citizen of the Philippines. She petitions this court to review the decision of the Board of Immigration Appeals (BIA), dismissing her appeal from the decision of the Immigration Judge (IJ) that she is removable and not eligible for discretionary relief from removal. Pagallaman has waived any challenge to the IJ's determination that she is removable and not eligible for cancellation of removal by failing to challenge this determination in her petition for review. *See Soadjede v. Ashcroft*, 324 F.3d 830,

\_\_\_\_\_  
\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

833 (5th Cir. 2003). Further, this court lacks jurisdiction to review Pagallaman's claims that her procedural due process rights were violated because she failed to present the claims to the BIA. *See* 8 U.S.C. § 1252(d)(1); *Roy v. Ashcroft*, 389 F.3d 132, 137 (5th Cir. 2004).

Accordingly, the petition for review is **DISMISSED FOR LACK OF JURISDICTION IN PART** and **DENIED IN PART**.